

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO: 3:08-CV-37-RJC-DCK**

THOMAS EDWARD GIBSON,

Plaintiff,

v.

INTERNATIONAL PAPER COMPANY,

Defendant.

ORDER

THIS MATTER IS BEFORE THIS COURT *sua sponte*. On September 19, 2008, the parties filed a “Joint Report On Mediation” (Document No. 17) reporting that the parties have reached a tentative settlement **prior to mediation** and that a voluntary dismissal shall be forthcoming upon full execution of a settlement agreement.

The Court commends the parties’ efforts to resolve their dispute. Nevertheless, the undersigned notes that the parties have been granted two requests for an extension of time to complete mediation, the most recent deadline requiring mediation to have occurred on or before September 1, 2008. Apparently, the parties have not yet conducted a formal mediation with a trained mediator, as required by the “Pretrial Order And Case Management Plan” (Document No. 3) and the Local Rules, and have not requested a third extension of time to do so.

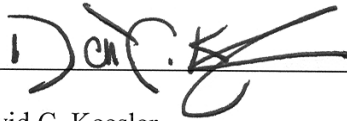
IT IS, THEREFORE, ORDERED that a stipulation of dismissal of this lawsuit, **or** a “mediator’s report of outcome” pursuant to Local Rule 16.3(C)(3), shall be filed in this matter on or before **October 17, 2008**. Barring extraordinary circumstances, there will be no further extensions for mediation.

IT IS FURTHER ORDERED that in anticipation of the forecast settlement, “Defendant International Paper Company’s Motion To Compel” (Document No. 8) is **DENIED WITHOUT**

PREJUDICE.

SO ORDERED.

Signed: September 22, 2008

A handwritten signature in black ink, appearing to read 'D.C. Keesler', written over a horizontal line.

David C. Keesler
United States Magistrate Judge

